

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

TIMOTHY J. SWEDENHJELM and
KRISTIN L. SWEDENHJELM,
Plaintiffs,

v.

ORDER
12-CV-00022A(F)

WEN-YEI ENTERPRISE, LTD and
WEN-ZHAN ENTERPRISE CO., LTD,

Defendants.

The above-referenced case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(B). On September 29, 2014, Magistrate Judge Foschio filed a Report and Recommendation, recommending that defendants' motion to dismiss (Dkt. No. 19) should be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, defendants' motion to dismiss (Dkt. No 19) is denied, and the time for plaintiffs to serve defendants is extended in accordance with N.Y. CPLR 306-b.

The case is referred back to Magistrate Judge Foschio for further proceedings..

IT IS SO ORDERED.

Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: October 21, 2014